

**Carlos Hernández**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis González**  
Council Vice President



Council Members  
**Jose F. Caragol**  
**Vivian Casáls-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernández**  
**Lourdes Lozano**

## City Council Agenda August 26, 2014 7:00 P.M.

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Call to Order -

Roll Call-

Invocation given by Marbelys Fatjo, Acting City Clerk

Pledge of Allegiance led by Councilwoman Lourdes Lozano

### **Meeting Guidelines**

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

### **Presentations –**

- Check Presentation by the Miami Marlins to the City of Hialeah in the amount of \$5,000 from the Major League Baseball Tomorrow Fund for the City's RBI league's baseball equipment.
- Mayor Carlos Hernandez recognizes the Hialeah Stormettes Synchronized Swimmers for their performance at the 35<sup>th</sup> Anniversary Celebration of Florida's Sunshine State Games. *In their first competition ever, the Hialeah Parks and Recreation "Stromettes" achieved 2<sup>nd</sup>*

*Place in the novice team competition and Gold, Bronze and Silver in all other levels of the competition (Figures, Solos, Duets and Trio), thereby placing them amongst the top novice synchronized swimming team in the State of Florida.*

- Eileen Viera
- Crystal Hidalgo
- Elizabeth Alvarez
- Michelle Russo
- Katherine Bello
- Emily Santos
- Emily Castaneda
- Yazmina Casavielle
- Stephanie Ramos
- Gabriella Armas
- Isabella Nodarse
- Alexa Silva-Valero
- **Coach Nerey Rodriguez**

- On June 27-29, 2014 the Sunshine State Games celebrated the premier Water Polo Championships in Coral Springs, Florida in which water polo teams from Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi and the Caribbean competed for the best Water Polo team in our zone. *The City of Hialeah Parks and Recreation Storm Water Polo Team placed first in all of the three divisions the team participated in (10 and under, 12 and under, and 14 and under), earning 3 Gold medals and placing the team amongst the top team in the zone.*

- **David Lemus**
- **Ashley Luy**
  - Both participants were selected for the Olympic Development Program, which is the feeder system for USA Water Polo's National Teams. Ashley Luy was also selected to be part of the Women's Developmental National Team.
- Bryan Dominguez
- Alejandro Gallen
- Luis Toledo
- Daniel Fernandez
- Bruno Molina
- Raul Hernandez
- Giovany Vazquez
- Jonah Joel Pouparina
- Daniel Picot
- Mike Delgado
- Yamelis Maiaz
- Paola Dominguez-Castro
- Melanie Hernandez
- Luis Viera
- Jeannet Garcia
- Marian Urra
- Ryan Castanedo-Monua

- Marica Urra
- Robin Obregon
- Eric Cassidy
- Mario Valdez
- Lorenzo Garcia
- Isdriel Lorenzo
- Adrian Mena
- Daniel Lopez
- Joey Lopez
- Pedro Montero
- Sebastian Bello
- Jennifer Garcia
- Didier Campos
- Gabriel Maiz
- Henry Alvarez
- **Coach Alex Donis**
- **Coach Nelson Dominguez**

1. Announcement of Amendments/Corrections to the Agenda – **The Applicant of PZ 1 – 460 West 83 Street – has requested that the item remain on continuance until the Council Meeting of September 9, 2014.**

2. Consent Agenda—

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on August 12, 2014. (OFFICE OF THE CITY CLERK)
- B. Request permission to award the design and engineering of the New Emergency Operation Center and issue a purchase order to Wolfberg/Alvarez & Partners, Inc., a vendor approved by the City's Selection Committee in 2010 for city architectural services, in an amount not to exceed \$36,000, and further request an additional \$5,000 to cover reimbursable items and any unforeseen design or additional services that may be required during construction, for a total cumulative amount not to exceed \$41,000. (CONSTRUCTION AND MAINTENANCE DEPT.)
- C. Request permission to award the design and engineering of the Milander Recreation Center Renovation and issue a purchase order to Wolfberg/Alvarez & Partners, Inc., a vendor approved by the City's Selection Committee in 2010 for city architectural services, in an amount not to exceed \$28,000, and further request an additional \$5,000 to cover reimbursable items and any unforeseen design or additional services that may be required during construction, for a total cumulative amount not to exceed \$33,000. (CONSTRUCTION AND MAINTENANCE DEPT.)

- D.** Request permission to award the Earthwork, Sitework, Paving and Drainage for the Cultural Park to Acosta Tractors Inc, vendor submitting the lowest proposal, in an amount not to exceed \$700,480.86. On August 12, 2014 the Council approved to reject Hialeah Bid No. 2014/15/3230-00-019, as well as granted the Construction and Maintenance Department permission to obtain quotations for this project. (CONSTRUCTION AND MAINTENANCE DEPT.)
- E.** Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Sponsorship Agreement with Sedano's Management, Inc., a Florida corporation, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1", to become a Hialeah Pillar Partner and be designated the official grocer of the City of Hialeah for a term of three years, commencing on September 1, 2014 through August 31, 2017, with the possibility of renewal for an additional three years upon similar terms and conditions by mutual written consent of the parties, in exchange for a total sponsorship fee of \$80,000.00 payable pursuant to payment schedule, a marketing bundle including on-site, media, internet, and direct-mail advertising opportunities, presentation at special events and programs, discounted entrance tickets to Hialeah Water Park and aquatic facilities, discounts for rental facilities, VIP parking, presenting sponsor at designated events, signage on Hialeah Transit buses, in receipt of other promotional items in connection with special events and programs; and further authorizing the naming of the gymnasium at Bucky Dent Park as Sedano's court at Bucky Dent Gymnasium, for the duration of the agreement. (EDUCATION AND COMMUNITY SERVICES DEPT.)
- F.** Request permission to increase purchase order # 2014-1662, since it is advantageous to the City, issued to Florida Municipal Marketing, LLC, for payment of all contract invoices due through the end of the contract term, including the new partnership agreements recently signed, by an additional amount of \$11,500, for a new total cumulative amount not to exceed \$58,250. The City Council approved a consulting agreement with Florida Municipal Marketing, LLC and the City on February 25, 2014, Item L. (EDUCATION AND COMMUNITY SERVICES DEPT.)
- G.** Request permission to reject Hialeah Bid No. 2013/14-3130-12-005 - Food and Beverage Services for the Milander Center, received on August 14, 2014, since it is advantageous to the City for the following reasons: the requirements of food and beverage changed pricing methods of providing caterers for the clients, the contractual allowance of surcharge to caterers of clients, eminent changes to the Request for Proposal which detail new requirements, and only two respondents answered the Request for Proposal. Further request permission to re-advertise and issue a new request for proposal to better meet the needs of the center, the clients and vendors. (EDUCATION AND COMMUNITY SERVICES DEPT.)
- H.** Request permission to increase purchase order # 2014-785, since it is advantageous to the City in that there has been a sharp increase in pricing for medical supplies created by a nationwide shortage, issued to Zoll Medical Corporation, to purchase medical supplies, by an additional amount of \$1,500, for a new total cumulative amount not to exceed \$16,500. (FIRE DEPT.)

- I.** Request permission to utilize Miami-Dade County Bid #5745-2/14-2, a competitively bid governmental contract, and increase purchase order #2014-69, issued to TPH Acquisition LLLP d/b/a The Parts House, for the purchase of automotive parts and accessories for City vehicles, by an additional amount of \$5,000, for a new total cumulative amount not to exceed \$35,000. (FLEET MAINTENANCE DEPT.)
- J.** Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order # 2014-220, issued to Gus Machado Ford, Inc., to purchase automotive replacement Ford parts at cost plus eight percent, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$55,000. (FLEET MAINTENANCE DEPT.)
- K.** Proposed resolution approving the annual plan of service for the Library Division for fiscal year 2014-2015, attached hereto and made a part hereof as Exhibit “1”, for submittal to the State Library of Florida in order to maintain eligibility as a recipient of State and Federal funds. (LIBRARY DIV.)
- L.** Proposed resolution authorizing the application for, and the acceptance of, a State Aid to Libraries Operating Grant from the Florida Department of State, Division of Library and Information Services, for the fiscal year 2014-2015, in an amount based on the City library’s operating expenses for fiscal year 2012-2013 and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a State Aid to Libraries Grant Agreement in furtherance thereof. (LIBRARY DIV.)
- M.** Request permission to waive competitive bids, since it is advantageous to the City, and renew the professional services agreement with ADF Consulting, LLC, for a period of one year, commencing on September 1, 2014 and ending on August 31, 2015, for governmental affairs consulting, in a total cumulative amount not to exceed \$45,000, inclusive of registration fees, costs and expenses, payable in equal monthly installments. (OFFICE OF THE MAYOR)
- N.** Request permission to utilize the National IPA Contract from the City of Tucson, Arizona - Department of Procurement (RFP No. 120535), and issue a purchase order issued to Tesco South Incorporated d/b/a Hector Turf, to purchase a Toro Groundskeeper 4500-D (Tier 4 Final Compliant) with a Universal Shade, in a total cumulative amount not to exceed \$60,143.62. Further request permission to issue a purchase order Torino Industries Corp d/b/a Torino Trailer Service, vendor providing the lowest quotation, to purchase a Tilt Trailer, in a total cumulative amount not to exceed \$5,500. (PARKS AND RECREATION DEPT.)
- O.** Proposed resolution approving the expenditure totaling an amount not to exceed sixty seven thousand eleven dollars and forty-five cents (\$67,011.45) from the Law Enforcement Trust Fund - *State*, to purchase eighty five (85) computers and related accessories from SHI International Corporation and CDW Corporation, the lowest quoted vendors, upon such costs having been approved by the Chief of Police. (POLICE DEPT.)
- P.** Request permission to increase purchase order # 2014-631, since it is advantageous to the City, issued to Overland Carriers Incorporated, to continue purchasing lime rock, ballast

rock and other materials needed to repair and construct roadway and drainage, by an additional amount of \$30,000, for a new total cumulative amount not to exceed \$80,000. (STREETS DEPT.)

- Q. Request permission to issue a purchase order to DGG Taser, Inc., sole source vendor of the Taser less lethal weapon system, for the purchase of fifteen (15) Taser guns and battery packs, in a total cumulative amount not to exceed \$19,755.10. (POLICE DEPT.)
- 3. First reading of proposed ordinance authorizing the negotiation of a loan in an aggregate amount not to exceed \$25,000,000 from the Florida Municipal Loan Council; approving the form of and the execution and delivery of a loan agreement with the Florida Municipal Loan Council; approving the execution and delivery of a Bond Purchase Contract; approving the execution and delivery of a Continuing Disclosure Agreement; providing certain other matters in connection with the making of such loan; providing penalties for violation hereof; providing for a severability clause and providing an effective date. (ADMINISTRATION)
- 4. Unfinished Business –
- 5. New Business –
  - a. Report to the City Council of financial disclosure submittals for the year ending in 2013, pursuant to Section 26-36(d) of the Hialeah City Code.
- 6. Comments and Questions -

**Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.**

**Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.**

### **ZONING**

- PZ 1. Recommendation of denial by the Planning and Zoning Official, upheld by the Planning and Zoning Board, of a Conditional Use Permit (CUP) to allow a house of worship, and consider granting a variance permit to allow 17 parking spaces, 5 of them backing out into the street (118 parking spaces required and back-out parking only allowed in low density residential areas). Property located at **460 West 83 Street, Hialeah, Florida**. *Applicant: Biblico Puertas De Sion.* **ITEM CONTINUED ON JUNE 24, 2014 UNTIL AUGUST 26, 2014.**

*Item was continued on June 24, 2014 until the meeting of August 26, 2014.*

*Item was continued on May 27, 2014 until the meeting of June 24, 2014, per the applicant's*

*request.*

*Item was continued on May 13, 2014 until the meeting of May 27, 2014.*

- PZ 2. First reading of proposed ordinance granting a Variance Permit to allow a Pylon Reader Board LED Sign on property zoned C-1 (Restricted Retail Commercial District) outside the geographic area where LED signs are permitted, a distance of less than 300 feet from property zoned Residential, where a minimum 300 feet is required; and allow a setback of 2 feet from the right-of-way line, where 10 feet are required; contra to Hialeah Code §§ 74-149(b), 74-149(e) and 74-128(1)e. **Property located at 4640 Palm Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *Applicant: Benjamin Ochner* **ITEM CONTINUED ON AUGUST 12, 2014 UNTIL AUGUST 26, 2014.**

*Item was continued on August 12, 2014 until the meeting of August 26, 2014.*

*Item came before the City Council as a Recommendation of denial by the Planning and Zoning Official, upheld by the Planning and Zoning Board, and the denial was overridden by the Council on June 24, 2014.*

- PZ 3. First reading of proposed ordinance granting a Special Use Permit (SUP) to allow the use of a prefabricated building on property zoned M-1 (Industrial District) for extended period of time not exceeding 19 months from the effective date of this ordinance for a temporary sorting facility for the loading and unloading, sorting and distribution of mail packages. **Property located at 6001 East 8 Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *Applicant: United Parcel Service, Inc.*

*Item was approved by the Planning and Zoning Board on August 13, 2014.*

- PZ 4. First reading of proposed ordinance vacating all alleys dedicated for public use and lying in Block 36-B only, of Amended Plat of the Amended Plat of Thirteen Addition to Hialeah, pursuant to the Plat thereof, as recorded in Plat Book 34, at Page 26, of the Public Records of Miami-Dade County, Florida. **Property located between East 4 Avenue and East 5 Avenue, north of East 25 Street and south of East 26 Street, Hialeah, Florida,** and more particularly described in the legal description and location sketch attached hereto and made a part hereof as Exhibit "A". *Applicant: Leon Medical Centers, Inc.*

*Item was approved by the Planning and Zoning Board on August 13, 2014.*

- PZ 5. First reading of proposed ordinance approving a Final Plat of Ready Auto Zone Tract, accepting all dedication of avenues, streets, roads or other public ways, together with all existing and future planting of trees; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. **Property located at 3850 West 12 Avenue, Hialeah, Florida.** *Applicant: The Cayon Family Limited Partnership No. 2*

*Item was approved by the Planning and Zoning Board on August 13, 2014.*

## **SPECIAL MEETING**

### **SMALL SCALE AMENDMENTS**

- LU 1. First reading of proposed ordinance amending the Future Land Use Map from Low Density Residential to Commercial; **Property located at 17 West 17 Street, Hialeah, Florida**, zoned R-1 (One-Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *Applicant: Lourdes M. Cochez*

*Item was approved by the Planning and Zoning Board on August 13, 2014.*

- LU 2. First reading of proposed ordinance amending the Future Land Use Map from Commercial to High Density Residential; **Property located at 1190 Southeast 8 Avenue, Hialeah, Florida**, zoned C-3 (Extended Liberal Commercial District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *Applicant: Spinal Cord Living – Assistance Development, Inc. (SCLAD)*

*Item was approved by the Planning and Zoning Board on August 13, 2014.*

- LU 3. First reading of proposed ordinance amending the Future Land Use Map from Medium and High Density Residential to Commercial; **Property located at the northwest corner of the intersection of East 25 Street and East 5 Avenue bounded to the north by East 26 Street and to the west by East 4 Avenue, Hialeah, Florida**; repealing all ordinance or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *Applicant: Leon Medical Centers, Inc.*

*Item was approved by the Planning and Zoning Board on August 13, 2014.*

**NEXT CITY COUNCIL MEETING: September 9, 2014 at 7:00 P.M.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: November 25, 2014 at 6:30 p.m.**

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3<sup>rd</sup> Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need



to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).